

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA**

United States of America,)	
)	
Plaintiff,)	ORDER
)	
vs.)	
)	
Brian Allen Zentner,)	Case No. 1:16-cr-217
)	
Defendants.)	

Defense counsel recently contacted the court to advise it of defendant's desire to surrender to the United States Marshal's office in this district and begin service of his anticipated sentence. Consequently, on August 21, 2018, the court issued an order directing defendant to self-surrender to the United States Marshal's office in Bismarck by 5:00 p.m. on September 10, 2018.

Defendant did not self-surrender on September 10, 2018. On September 12, 2018, a petition for revocation of defendant's pre-sentence release conditions was filed and an arrest warrant for defendant was issued.

On September 17, 2018, the court received notice that, on September 14, 2018, defendant had traveled to Bismarck and was taken into custody by deputy marshals upon his arrival.

Defendant's sentencing hearing is scheduled for September 25, 2018, at 3:30 p.m. in Bismarck before Chief Judge Hovland. As it was defendant's stated intent in late August 2018 to surrender to the Marshal in this district and begin service of his anticipated sentence, the court deems the petition for revocation of pre-sentence release (Doc. No. 108) **MOOT**. Defendant is committed to the custody of the Attorney General or designated representative for confinement in an appropriate corrections facility. Defendant shall be afforded a reasonable opportunity for private

consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver defendant to the United States Marshal for the purpose of an appearance in connection with court proceedings.

IT IS SO ORDERED.

Dated this 17th day of September, 2018.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr., Magistrate Judge
United States District Court